Sects. II-27—100,000—21-5-53.

Food & Agriculture (1953 49) Department.

Ms SERIES.

G.O. No. 1514-15

1514-15

Dated

[Despatch Abstract.]

Agriculture - Manures - The Madras Manure Dealers' Licensing Order, 1949 and the Madras Oil Cake Movement Control Order, 1949 - Issued under the Madras Essential Articles Control and Requisitioning (Temporary Powers) Ordinance, 1949.

GOVERNMENT OF MADRAS.
Abstract.

Agriculture - Manures - The Madras Manure Dealers Licensing Orders, 1949 - Issued under the Madras Essential Articles Control and Requisitioning (Temporary Powers) Ordinance, 1949.

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FOOD AND AGRICULTURE DEPARTMENT

G.O. Ms. No. 1514. Dated the 2nd December 1949.
Read:-

G.O. Ms. No. 1678, Development, dated 21.4.1947.
G.O. Ms. No. 1467, Development, dated 23.3.1948.
G.O. Ms. No. 3041, Development, dated 5.6.1948.
G.O. Ms. No. 4219, Development, dated 14.8.1948.
G.O. Ms. No. 733, Food, dated 10.8.1949.

Order:-

The following notification will be published in the Fort St. George Gazette:-

NOTIFICATION.

In exercise of the powers conferred by section 3 of the Madras Essential Articles Control and Requisitioning (Temporary Powers) Ordinance, 1949 (Madras Ordinance No. VI of 1949) read with sections 9 and 20 of the said Ordinance and in supersession of the Madras Manure Dealers Licensing Order, 1947, published with the Development Notification, dated the 21st April 1947 at pages 63-65 of Rules Supplement to Part II of the Fort St. George Gazette, dated the 29th April 1947, as subsequently amended, His Excellency the Governor of Madras hereby makes the following Order:-

(i) This order may be called the Madras Manure Dealers' Licensing Order, 1949.

(ii) It extends to the whole of the Province of Madras.

(iii) It shall not apply to any dealings by a fisherman in fish meal, fish guano or other fish manure manufactured by him.

2. In this order, unless there is anything repugnant in the subject or context:-

(a) 'dealer' means an oil miller or a person who sells manure in quantities of not less than one maund at a time;

(b) 'Director' means the Director of Agriculture, Madras;

(c) 'form' means a form as set forth in the Schedule to this Order;

(d) 'Licensing Authority' means the Director or any officer authorised by him to receive applications and issue licences under this order;

(e) 'manure' means oil cake, bones, bonegrist, bonomeal, bonesuper, fish meal, fish guano, ammonium sulphate, Ammophos, Niciphos, basil slag, pottasssim sulphate, Potassium Nitrate, Kainit and proprietary manure mixtures, and superphosphate.

(f) 'oil cake' means all kinds of cake (except moura, illuppai cake, gingelly or coconut cake) obtained as residue after the extraction of oil from vegetable seeds whether used as manure or as food for cattle;

(g) 'oil miller' means any person owning or having in his possession or under his control, as oil mill run by

power or hand presses but does not include a person owning or having in his possession or under his control a wooden or stone chekku.

3. On and after the 6th December 1949 no person shall carry on business as a dealer in manures in the Province of Madras except under and in accordance with a licence issued in that behalf by licensing authority.

4. (i) Applications for licences under this Order, shall be made to the licensing authority and shall be in Form I.

(ii) A fee of Rs. 10/- per annum shall be payable in advance along with every application for a licence, whether it be for an original licence or for the renewal of a licence.

(iii) A separate licence fee shall be payable for each place of business of the dealer.

(iv) The applicant shall enclose with his application a treasury receipt or a cheque in favour of the licensing authority for the amount of the fee due on the application.

(v) Every licence granted or renewed under this Order shall expire on the 31st March of the financial year in respect of which it is granted or renewed, provided that licences issued before the 6th December 1949 shall be deemed to be current upto and inclusive of the 31st March 1950.

(V)(A). If at any time a licence is lost, torn, damaged or destroyed, the holder of such licence shall forthwith intimate the fact in writing to the licensing authority having jurisdiction over the area in which he has his place of business.

(B) Upon receipt of the intimation specified in sub-clause (V)(A), the licensing authority shall, if satisfied after making such enquiries as he thinks fit that a duplicate licence may properly be issued, issue a duplicate licence. The licensing authority may also suo motu issue a duplicate licence if a licence is found to be turn or damaged when it is presented for renewal.

(C). The fee for a duplicate licence issued under sub-clause (V)(B) shall be one rupee.

5. Licences issued under this order shall be in Form II.

6. No licence shall be issued to any person:-

(a) who is not a bonafide dealer; or

(b) who in the opinion of the licensing authority, has been profiteering in manure or has been hoarding or refusing to sell manure; or

(c) who is otherwise considered unsuitable by the licensing authority to be granted a licence.

7. The licensing authority shall have discretion to issue or refuse to issue a licence to any applicant.

It shall not be necessary for the licensing authority to state in an order refusing a licence, the reason for such refusal.

refusal.

8. No person who is the holder of a licence under this order shall contravene any of the conditions of the licence and if he doe so then without prejudice to any other action that may be taken against him, his licence may be cancelled or suspended by the licensing authority.

9. The licensing authority shall have discretion to cancel, revoke or modify any licence issued by him.

10. Any officer authorized by the Director may enter upon and inspect any premises in which he has reason to believe that the sale or storage for sale or distribution of manure is taking place contrary to the provisions of this order or any order made thereunder.

11. If any person contravenes any of the provisions of this order, then, without prejudice to any other punishment to which he may be liable any Court trying the offence may order, that any stocks of manures together with the pakages and coverings thereof, in respect of which the Court is satisfied, that the offence has been committed shall be forfeited to His Majesty.

12. (i) The repeal of the Madras Manures Dealers' Licensing Order, 1947 shall not affect proceedings or action which has alread been or may hereafter be taken in respect of anything done or omitted to be done under the said order and such proceedings or action shall, so far as may be, be deemed to have been taken under this order.

(ii) All licences issued under the said order and in force immediately before the commencement of this order shall be deemed t have been issued under this order.

Schedule.

FORM I.

(See Clause 4).

FORM OF APPLICATION FOR LICENCE.

1. Applicant's name and address.

2. Applicant's place of business.

3. How Long the applicant has been trading in manure.

4. Quantities of manure handled, annually during the past two years (quantities to be specified in tons).

I declare that the following quantities of manure are in my possession this day and are held at the places noted against them.

Name of place.	Quantity in tons.

I have carefully read the conditions of the licence in Form II in the Schedule to the Madras Manure Dealers' Licensing Order, 1949, and I agree to abide by them.

Signature of the applicant.

FORM II.

(See clause 5).

The Madras Manure Dealers' Licensing Order, 1949.

Licence for the sale or distribution of manure.

Subject to the provisions of the Madras Manure Dealers' Licensing Order, 1949, and the orders made thereunder and to the terms and conditions of this licence is/are hereby authorised to deal in the sale or distribution of manure.

2. The licences shall carry on the aforesaid business at the following places.

Note:- When the same person carries on business in more than one place a separate licence should be obtained in respect of each place and the registers and returns referred to in paragraphs 3 and 4 below should be maintained and submitted separately for each such place.

3. The licensee shall not store manure in any place other than that specified in paragraph 2, except with the approval of the licensing authority.

4. The licensee shall maintain a register of daily accounts showing correctly all transactions in manure in his possession or control. It shall show;

(a) the opening stock on each day;

(b) the quantities produced or received on each day, showing place of origin, that is, the name of oil miller or factory or other consignor from whom received;

(c) the quantities sold, delivered or otherwise disposed of on each day showing the places of destination and the names of the consignees; and

(d) the closing stock on each day.

5. The licensee shall submit to the licensing authority so as to reach him not later than the 10th of each month, a true return in Form III set out in the Schedule to the Madras Manure Dealers' Licensing Order, 1949, of the stocks, receipts, deliveries and balance during the preceding month.

6. The licensee shall exhibit in a prominent position at his place of business a statement showing the following particulars in English or in the principal language of the district.

(each kind of manure should be separately shown).

Quantity of manure stocked.

Selling price per cwt.

Date.

7. The licensee shall issue to every customer a correct receipt or invoice as the case may, in which shall be given the name, address, licence No. of the licensee the date of the transactio the quantity sold, the price cwt. and the total amount charged

and shall keep a duplicate of such receipt or invoice, to be available for inspection on demand by any officer authorised by the Director of Agriculture, Madras.

8. The licensee shall give all facilities at all reasonable times to any officer authorized by the Director of Agriculture, Madras for the inspection of his accounts and stocks wheresover they may be kept and for taking samples of such manures for examination.

9. The licensee shall comply with any directions that may be given to him by the Director of Agriculture, Madras or any officer authorised by him in regard to the sale or storage for sale or distribution of manure.

10. The licensee shall not have in his possession or under his control any manure in excess of the net quantity revealed by his accounts and if any such excess quantity is not properly accounted for by him it will be liable to be confiscated by the Government.

11. A contravention of any of the conditions of this licence whether by the licensee or by his agent or servant or by any person who can reasonably be presumed to have been acting on his behalf, will render the licence liable to cancellation or suspension without prejudice to any other action that may be taken against the licensee.

FORM III.

(See paragraph 5 of Form III).

Return of stocks, receipts and deliveries of manure for the month of

Name.

Address. Licence No.

I. Oil Millers. Quantity (each kind of oil cake should be separately shown).

1. Stock of oil cake as per last return.

2. Quantity of oil cake produced or received during the month.

3. Quantity sold during the month

4. Average weekly prices of each kind of oil cake.

5. Balance of stock of oil cake on the last date of the month.

II. Otner Dealers. (Each kind of manure should be shown separately).

1. Stock of manure as per last return.

Quantity of manure purchased during the month.

Quantity of manure sold during the month.

Stock of manure at the end of the month.

Weekly average price of manure per cwt.

Signature of the licensee.

Signature of the licensee.

(By Order of His Excellency the Governor).

M.A. Kuttalalingam Pillai,
Secretary to Government.

To

The Superintendent, Government Press for publication in the Fort St. George Gazette dated 6.12.1949.
The Director of Agriculture, Madras.
The Joint Director of Agriculture, Madras.
The Director of Industries and Commerce.
The Board of Revenue (Civil Supplies) and (Food Production).
All Collectors.
The Collector of Customs.
The Collector of Central Excise.
The Commissioner of Police, Madras.
The Public Prosecutor, Madras.
The Inspector-General of Police, Madras.
The Superintendent, 'X' Branch.
Copy to the Government of India, Ministry of Commerce.
Copy to the Government of India, Ministry of Agriculture.
Copy to the Government of India, Ministry of Food.
Copy to the Director of Information and Publicity.

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GOVERNMENT OF MADRAS.
Abstract.

Agriculture - Manures - Madras Oil Cake (Movement Control) Order, 1949 - Issued under the Madras Essential Articles Control and Requisitioning (Temporary Powers) Ordinance, 1949.

FOOD AND AGRICULTURE DEPARTMENT.

G.O. Ms. No. 1515. Dated the 2nd December 1949.
Read:-

G.O. Ms. No. 2353, Development, dated 22.9.1943.
G.O. Ms. No. 3567, Development, dated 11.11.1943.

Order:-

The following notification will be published in the Fort St. George Gazette:-

NOTIFICATION.

In exercise of the powers conferred by section 3 of the Madras Essential Articles Control and Requisitioning (Temporary Powers) Ordinance, 1949, (Madras Ordinance No. VI of 1949) read with section 9 and 20 of the said Ordinance and in supersession of the Madras Oil Cake (Movement Control) Order, 1943 published with Development Department Notification dated the 22nd September 1943 at page 8 of the Rules Supplement to Part I of the Fort St. George Gazette, dated the 5th October 1943 as subsequently amended His Excellency the Governor of Madras hereby makes the following order:-

(1) This order may be called the Madras Oil Cake (Movement Control) Order, 1949;

(2) It extends to the whole of the Province of Madras.

II. In this order, unless there is anything repugnant in the subject or context:-

(a) 'Director' means the Director of Agriculture, Madras and includes any person authorised by him to exercise all or any of the powers conferred on the Director by this Order.

(b) 'export' means to take out of the Province of Madras to any other Province in India or to an Indian State or from one district to another in the Province;

(c) 'oil cake' means all kinds of cake obtained as residue after the extraction of oil from vegetable seeds.

3. (i) No person shall export oil cake except under and in accordance with a permit issued in that behalf by the Director which shall be in the Form in the Schedule to this Order;

Provided that nothing in this clause shall apply to the export of:-

(a) oil cake under and in accordance with a permit duly issued, before the coming into force of this order by the Director or any any officer authorized by him;

(b) any oil cake constituting the stores of any vessel plying on a coasting run from any place in this Province to any place in India outside the Province or to any place in another district.

Provided further that the Director may be general or special order, exempt from the provisions of this clause export of oil cake to such extent, in such manner and for such period as may be specified in the order.

(ii) If it appears to the Director that a permit issued by him under sub-clause (i) is not likely to be utilized or that there are sufficient reasons requiring its cancellation, he may cancel the permit and on such cancellation the holder of the permit shall forthwith return the permit to the Director.

4. The Director shall have absolute discretion to issue or refuse to issue a permit to any applicant. It shall not be necessary for the Director to state in an order refusing a permit the reason for such refusal.

. . . . . .

5. Applications for permits to export oil cake during any calendar month shall be made in writing not later than the fifteenth day of the preceding calendar month to the Director and shall contain full and true particulars of the following:-

. . . . . .

(1) Name of the consignor. (Full name and address to be given).

(2) Name of the consignee. (Full name and address to be given).

. . . . . .

(3) Quantity(in tons and cwts) and kind of oil cake.

(4) Port, railway station or place of despatch (including district in which situated).

. . . .

(5) Port, railway station or place of destination (including district in which situated).

(6) Price at which the oil cake included in the consignment has been sold with full particulars as to whether the price is inclusive of bag and packing charges of ex-godown, etc.

6. Where any oil cake is exported by rail in accordance with a permit issued by the Director, the consignor shall deliver ✗ the permit to the Station Master of the station from which the oil cake is exported who shall return the permit to the Director on completion of despatch of the quantity therein mentioned with the entries in respect of each consignment showing the quantity despatch and the date of despatch duly certified by the Station master on the permit.

7. Where any oil cake is exported by sea in accordance with a permit issued by the Director, the consignor shall deliver ✗ the permit to the Collector of Customs who shall return the permit to the Director after the consignment has been exported.

8. Where any oil cake is exported otherwise than by rail or by sea in accordance with a permit issued by the Director, the permit shall be disposed of in accordance with such instructions as the Director may indicate on the permit.

(1) The repeal of the Madras Oil Cake (Movement Control) Order, 1943 shall not affect proceedings or action which has already been or may hereafter be taken in respect of anything done or omitted to be done under the said order and such proceedings or action shall, so far as may be, be deemed to have been taken under this Order.

SCHEDULE.

(See Clause 3(1)).

The Upper portion of the permit shall be stamped on the reverse by the Station Master or the Collector of Customs as the case may be, of the station or despatch and returned to the Director. The lower portion should be retained for his record.

P.No.

Permit to export . . . . . .

During . . . . . .

P.No.

Product. . . . . .

Quantity. . . . . .

Quality. . . . . .

Consignor. . . . . .

Address. . . . . .

Port. }
Railway Station. } of despatch . . . . . .
Place. }

District. . . . . .

Consignee. . . . . .

Address. . . . . .

Port.
Railway Station. } of destination. . . . . .
Place.

District - Province. . . . . .

Dated. . . . . .

DIRECTOR.

CONDITIONS OF PERMIT.

1. This permit is not transferable.

2. It is liable to be cancelled without previous notice at th absolute discretion of the issuing authority.

3. It is valid only for one month from the date stated in the permit as the date on which the permit begins to be valid.

4. Any permit that is taken out but is not utilized should be returned immediately to the issuing authority.

5. Every consignor shall furnish correctly such information as may be demanded from him and shall carry out such instructions as may be given to him from time to time by the Director of Agriculture or any other officer duly authorized by him in this behalf.

(By Order of His Excellency the Governor).

M.A. Kuttalalingam Pillai,
Secretary to Government.

To
The Superintendent, Government Press for publication in the Fort St. George Gazette dated 6.12.1949.
The Director of Agriculture, Madras.
The Joint Director of Agriculture, Madras.
The Director of Industries and Commerce, Madras.
The Board of Revenue (Civil Supplies) and Food Production.
All Collectors.
The Collector of Customs.
The Collector of Central Excise.
The Commissioner of Police.
The Public Prosecutor.
The Inspector-General of Police.
The Superintendent, 'X' Branch.
Copy to the Government of India, Ministry of Commerce.
Copy to the Government of India, Ministry of Agriculture.
Copy to the Government of India, Ministry of Food.
Copy to the Director of Information and Publicity.

...

/True copy/

Superintendent,
Madras Record Office.

k.y.s. 11.7.